

1 BARRY J. PORTMAN
Federal Public Defender
2 NED SMOCK
Assistant Federal Public Defender
3 555 - 12th Street, Suite 650
Oakland, CA 94607
4 Telephone: (510) 637-3518
5 Counsel for Defendant LEONARD DEW

6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-08-70488 WDB
11)
Plaintiff,) STIPULATION AND [PROPOSED]
12) ORDER RESETTING DATE FOR
vs.) PRELIMINARY HEARING
13)
LEONARD DEW,)
14)
Defendant.)
15 _____)

16 IT IS HEREBY STIPULATED between the plaintiff through its attorney, Maureen
17 Bessette, and the defendant through his attorney Ned Smock, that the preliminary hearing in this
18 matter now set for August 14, 2008 at 10:00 a.m. shall be reset for September 10, 2008 at 10:00
19 a.m. The parties are engaged in discussions about possible resolution of the case. Additional
20 time is needed to perform investigation and research as those discussions continue. Defendant
21 Dew and his counsel waive the provisions of Rule 5.1(c) of the Federal Rules of Criminal
22 Procedure requiring a preliminary hearing to be held within 20 days of his initial appearance and
23 18 U.S.C. § 3161(b) requiring an indictment to be filed within thirty days from the date of arrest.
24
25
26

1 IT IS SO STIPULATED:

2 Dated: August 13, 2008

/s/ Ned Smock
NED SMOCK
Assistant Federal Public Defender

5 Dated: August 13, 2008

/s/ Maureen Bessette
MAUREEN BESSETTE
Assistant United States Attorney

7 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
8 "conformed" signatures (/S/) within this e-filed document.

9
10 **ORDER**

11 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the preliminary
12 hearing in this matter now scheduled for August 14, 2008 is hereby rescheduled for September
13 10, 2008 at 10:00 a.m.

14 Dated: August ___, 2008

HONORABLE WAYNE D. BRAZIL
United States Magistrate Judge